IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.18532 of 2008
ASMOTIYA @ MANOJ TANTI
Versus
STATE OF BIHAR
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2. 15.5.2008 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The case was initially registered under Section 307 I.P.C. but after death Section 302 I.P.C. was added.

The informant is in injured position has given his Fard bayan in the Clinic of Dr. Shashi Bhushan Sharma, Hemra, Begusarai stating therein that Lalo @ Lalka Sahni fired from his pistol which caused injury to his stomach and thigh. Later on, Ram Sewak Sahni fired from his pistol which caused injury to his mouth.

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Submission is that the petitioner is not named in the F.I.R. and his name has come at belated stage . It is submitted that similarly situated co-accused Vijay Tanti has been granted bail by another Bench of this Court in Cr. Misc. No. 29508 of 2007. The petitioner has not been described as assailant.

Considering the facts and circumstances of the case, the petitioner Asmaotiya @ Manoj Tanti is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Smt. A.K. Lal, Judicial Magistrate, Begusarai, in connection with Ballia P.S. Case No. 79 of 2005.

S.Ali **(Shyam Kishore Sharma, J.)**